

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEVEN TOLAND, o/b/o)	
DELMAR TOLAND,)	Civil Action No. 12-43
)	
Plaintiff,)	Judge Cathy Bissoon
)	Magistrate Judge Cynthia Reed Eddy
v.)	
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM ORDER

On January 12, 2012, this case was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On August 31, 2012, the magistrate judge issued a Report (Doc. 18) recommending that Defendant's Motion for Summary Judgment (Doc. 15) be denied, and that Plaintiff's Motion for Summary Judgment (Doc. 13) be granted. Service of the Report and Recommendation was made on the parties, and Defendant timely filed Objections. *See* Doc. 19.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

Defendant's Motion for Summary Judgment (**Doc. 15**) is **DENIED**; Plaintiff's Motion for Summary Judgment (**Doc. 13**) is **GRANTED**; and this case is **REMANDED FORTHWITH** for further administrative proceedings consistent with the Magistrate Judge's Report and Recommendation, which hereby is adopted as the opinion of the District Court.

IT IS SO ORDERED.

September 25, 2012

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record